

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

HECTOR GONZALES,	)	
	)	
Plaintiff,	)	4:07CV3103
	)	
V.	)	
	)	
UNKNOWN FROISLAND, Sg,	)	ORDER
BRIAN KIRKENDALL, Lt,	)	
UNKNOWN BOWMAN, Sgt,	)	
UNKNOWN SANFORD, Corporal	)	
Officer, LEA SWARTHOUT,	)	
Corporal Officer, UNKNOWN	)	
LEDUC, Case Manager, MICHELLE	)	
HILLMAN, Unit Manager,	)	
UNKNOWN SERNA, Corporal	)	
Officer, UNKNOWN HOLLEY, Sgt,	)	
UNKNOWN RUE, Case Worker,	)	
UNKNOWN BLOCK, Case Worker,	)	
UNKNOWN BEALEY, Corporal	)	
Officer, UNKNOWN MCKELLEP,	)	
Corporal Officer, UNKNOWN	)	
PFEILLY, Corporal Officer,	)	
UNKNOWN HERNANDEZ,	)	
Corporal Officer, UNKNOWN	)	
WILLIAMS, Doctor, CARRIE	)	
CROPP, RN., UNKNOWN SIMON,	)	
Lt, UNKNOWN WOODYARD,	)	
Corporal Officer, and AARON	)	
SMITH, CPL Officer,	)	
	)	
Defendants.	)	
	)	

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This matter is before the court on its own motion. The Federal Rules of Civil Procedure require that a defendant serve an answer to a complaint “within 20 days after being served with the summons and complaint.” Fed. R. Civ. P. 12(a).

The Clerk of the court issued a summons to Defendant Unknown Woodyard on June 14, 2007. (Filing No. 21.) That summons was returned as executed on June 28, 2007. (Filing No. 27.) Although Defendant Unknown Woodyard had until July 18, 2007 to do so, he/she has not filed an answer or any other responsive pleading.

IT IS ORDERED:

1. Plaintiff shall have until October 11, 2007 to file a motion for default judgment against Defendant Unknown Woodyard. Such motion shall fully comply with Federal Rule of Civil Procedure 55 and Nebraska Civil Rule 55.1.

2. In the absence of Plaintiff’s motion for default judgment, this matter will be dismissed as to Defendant Unknown Woodyard without prejudice and without further notice to Plaintiff.

3. The Clerk of the court is directed to set a pro se case management deadline in this case using the following text: October 11, 2007: deadline for filing motion for default judgment against Defendant Unknown Woodyard.

August 27, 2007.

BY THE COURT:

s/ Joseph F. Bataillon  
Chief United States District Judge